



Town of Cummington
33 Main Street
P.O. Box 128
Cummington, MA 01026
(413) 634-5354 • Fax (413) 634-5568

Zoning Board of Appeals

Application for Special Permit, Variance, or Appeal

Name of Applicant: The Center for Rehabilitation of Wildlife, Inc
Applicant's Mailing Address: 790 Berkshire Trail
Cummington MA 01026
Location of Property: 790 Berkshire Trail Parcel ID: 002.0 0059 0000.0
(Street number and name, and Assessors' Map and Lot numbers)

Applicant is Owner. (Owner; tenant; licensee; prospective buyer, tenant; etc.)

Applicable section(s) of the Zoning By-law: 7-10 2d

(It is very important that you cite all applicable sections of the Zoning By-law from which you are seeking relief. At the hearing the ZBA can only decide on matters that were included in the published/posted Public Notice of the hearing. The reasoning being that the public has the right to offer input on any given matter and be present at the hearing, but if they weren't accurately informed as to the nature of the hearing, how could they know whether or not to participate?)

Date of denial or Notice of Violation (if applicable) by the Building Inspector, Planning Board, etc. _____ (Please include a photocopy of denial or Notice of Violation.)

Please describe the nature of your request: (If necessary, use the back of this page, or attach a page to it.)

See attached

I request a hearing before the Zoning Board of Appeals in regard to the matter stated above.

Applicant's Signature: Barbara Stelley Date: 6/13/22

ZBA Chair or Clerk's Signature: _____ Date: _____

Received from Applicant, the amount of **\$100.00** to apply toward advertising costs and expenses.

Town Clerk's Signature: _____ Date: _____
The Town Clerk cannot accept this application until after the ZBA Chair or Clerk has signed in the box above.

APPLICATION FOR SPECIAL PERMIT, VARIANCE OR APPEAL

The Center for Rehabilitation of Wildlife, Inc (The CROW)
790 Berkshire Trail
Cummington, MA

Applicable section(s) of the Zoning By-Law:

7-10 Non-Conforming land Uses and Structures

2d. Alteration of a structure begun after the first publication of notice on this By-Law or any amendments thereto when such alteration will provide for its use for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent.

Please describe the nature of your request:

Pertaining to 5-20 Use Regulation Schedule

The property is within the Rural-Residential District. Its three buildings represented a multi-family property of three residences under the prior owners, although the southeast building, at the end of the parking lot, was used as a barn and workshop by the most recent owners. The current property owner is a Massachusetts Non-Profit Corporation organized for the following purposes: A) The rehabilitation and release of injured, orphaned, or otherwise disabled wild animals, B) To promote the protection of wildlife and wildlife habitat through re-use, waste reduction, conservation and related activities and C) The education of the public concerning issues related to wildlife and their environment.

We will refer to the three buildings as

The Barn (SE building, back of parking lot)

The Main House (SW building)

The Caretaker's Cottage (N building, uphill, behind the Barn). This will continue as a residence so is not referenced below.

The buildings are labeled on the attached maps.

A proposal of substantially different purposes for the property fall under the following Activities or Uses:

1) Roadside stand –

The CROW will maintain a small, portable roadside stand to offer passersby FREE reuse items that have been donated by the public. This may include live plants and/or produce.

The CROW may sell live plants and/or produce at a roadside stand to raise funds.

The portable stand may be, at times, at the roadside and at other times, at the edge of the parking lot, with off-road parking.

2) Business or professional offices -

The CROW will maintain its corporate offices in the Main House. This office space will be used by employees and/or volunteers, not the public.

3) Retail sales or services –

The Barn will house a retail thrift shop, run by volunteers and open to the public up to seven days a week, between the hours of 10AM and 5PM. The Barn currently houses the thrift shop space, storage space and a workshop in approximately equal proportions. Expansion of the thrift shop into the full Barn space is possible.

4) Other business uses which meet the intent and purpose of this By-Law-

Rehabilitation: The “business” of wildlife rehabilitation includes receiving patients from the public and other rehabilitation facilities, care of wildlife patients until they attain release age or recover from injuries and release of patients when they are ready. While The CROW may receive/intake in-need wildlife of any species, only bird species covered by our rehabilitation permits will be retained for care and release at or near the Cummington property.

The Main House will have an intake space for receiving and examining patients and a baby bird nursery, where nestling (pre-flight) birds will be housed. Future plans for outdoors include small aviaries for flighted birds, a ground-based “chimney” to attract breeding chimney swifts and a water enclosure for young waterfowl.

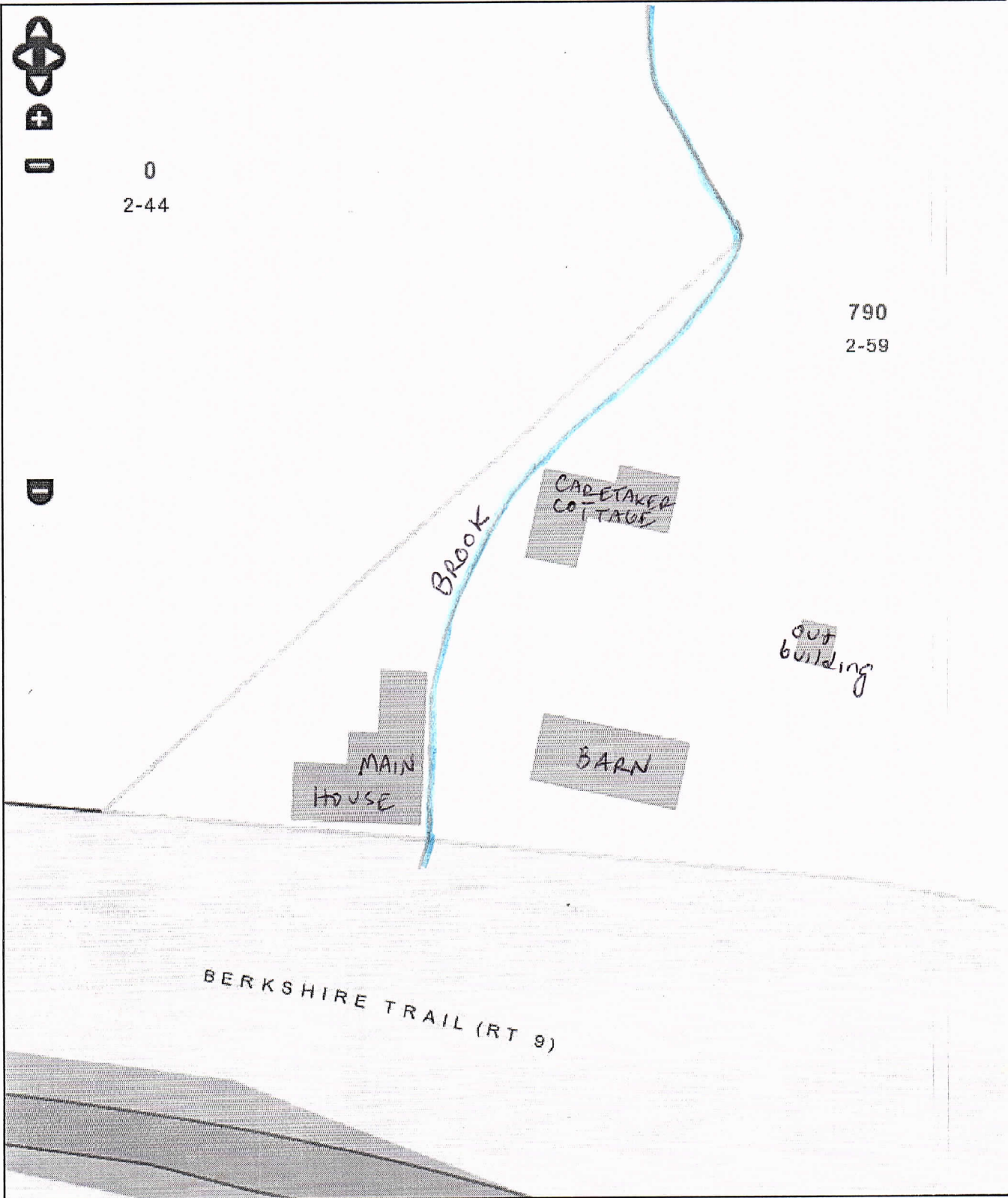
Wildlife rehabilitation will be conducted by licensed wildlife rehabilitators and volunteers.

Education: The CROW does outreach and conducts educational programs. Historically this has been mostly done off-site, at schools, churches, birders club meetings and elsewhere. The CROW hopes to host small educational programs on-site, focused on the care and protection of the natural world in our two stated realms, direct care of the natural world and waste reduction. These programs may include but not be limited to bird, habitat or pollinator garden walks/talks and reduce/reuse/repair talks and clinics. The programs may be outdoors or in the Main House, which has a meeting room for small gatherings. The CROW also mentors aspiring wildlife rehabilitators.

Hilltown Reuse: The CROW sponsors the Hilltown Reuse Project, which in turn sponsors the Hilltown Hob Nob and the Free Cart, along with weekly housekeeping at the Give and Take Shed at the Cummington transfer station. The Project connects donors of household items with re-users, in the interest of reducing waste and saving dollars for cost-conscious “shoppers”. This project will use the Barn for temporary storage of items. Interactions with the public will occur out of doors or in the thrift shop.

Pertaining to 8-10 Off-street Parking and Loading

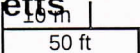
As a once multi-family property with three residences, there is room for six vehicles to park off-road, in front of the Barn. None of the regular activities on the property will exceed the six car limit.



Town of Cummington, Massachusetts

Selected Parcel: 790 BERKSHIRE TRAIL ID: 2-59

Printed on 1/3/2022



MainStreetMaps
MainStreetGIS, LLC
www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The Town of Cummington, Massachusetts and MainStreetGIS, LLC assume no

PARKING

